

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

NANCY C. BLAKE,

Defendant.

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Civil Action No. 5:17-CV-616 (FJS/ATB)

STIPULATED JUDGMENT

WHEREAS:

A. The United States has filed a Complaint alleging that Nancy C. Blake owes the United States civil penalties of up to \$300,000.00 for violations of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*; and

B. The parties have entered into a written Stipulation for Compromise Settlement, which is incorporated herein by reference.

THEREFORE, the United States and Blake agree as follows:

1. Defendant consents to this Stipulated Judgment in the United States District Court for the Northern District of New York in favor of the United States upon the terms stated here.

2. Upon execution by Defendant of this Stipulated Judgment, Defendant will pay the United States, in full and complete settlement of the United States' claims for matters alleged in the Complaint, the amount of \$50,000.00 as follows: \$50.00 per month starting on July 1, 2017 and continuing for so long as Defendant's financial circumstances do not materially improve as compared to those circumstances reflected in a Financial Statement of Individual Debtor provided by Defendant to the United States Attorney's Office for the Northern District of New York on or about April 30, 2017. Defendant acknowledges that the United States' agreement to the payment

terms set forth in the Stipulation for Compromise Settlement (including payment over time) was made in reliance upon Defendant's representations (including Defendant's Financial Statement of Individual Debtor).

3. Defendant agrees to submit financial disclosure forms, in the format provided by the United States Attorney's Office for the Northern District of New York, on at least a semi-annual basis (in January and July of each year, starting in January 2018) until the obligation is paid in full. The United States Attorney's Office for the Northern District of New York may, in its sole and exclusive discretion, require Defendant to increase the monthly payment if and as her financial condition improves and/or may impose interest on any unpaid obligation until the entire obligation has been paid. Defendant agrees to make any increased monthly payment and agrees to any interest rate increase that results in a total interest rate of equal to or less than the 9% interest rate set forth within the New York Civil Practice Law and Rules. The United States will notify Defendant in writing of any change in the required monthly payment and/or interest rate, which change shall not take effect until the third month after such notification is sent.

4. The United States will record this Stipulated Judgment as a lien against real property with a common street address of 7744 Sotherden Drive, Liverpool, New York, jointly owned by Defendant and Paul Bleiweiss.

5. Provided Defendant remains current on her payment obligations as set forth in Paragraph 2 of this Stipulated Judgment and the Stipulation for Compromise Settlement, including but not limited to making any increased payments that may be required in light of a change in Defendant's financial circumstances, the United States will not take any action to enforce this Stipulated Judgment other than as set forth herein in Paragraph 4 and in the Stipulation for Compromise Settlement.

6. Defendant shall be deemed in default of the Stipulation for Compromise Settlement and this Stipulated Judgment if she is late with a payment due hereunder (i.e. it is received after the first business day of each month) and that payment is not received within a five (5) day grace period.

7. Upon default, the United States may exercise at its sole discretion one or more of the following rights as applicable: (a) declare the Stipulation for Compromise Settlement breached and proceed against Defendant for any claims, including those to be released by the Stipulation for Compromise Settlement; (b) take any action to execute and collect on this Stipulated Judgment against Defendant; (c) file an action for specific performance of the Stipulation for Compromise Settlement; or (d) exercise any other right granted by law, or under the terms of the Stipulation for Compromise Settlement, this Stipulated Judgment, or recognizable at common law or in equity.

8. Notwithstanding the semi-annual financial reporting obligation set forth in Paragraph 3 herein and in the Stipulation for Compromise Settlement, Defendant shall keep the United States currently informed in writing of any material change in her financial situation or ability to pay, and of any change in her operations, place of business, telephone number, and residence.

9. Upon payment in full, the United States shall file a Satisfaction of Judgment with the District Court and the appropriate Clerk of all counties in which any transcript of judgment has been filed.

10. The Court shall retain jurisdiction to enforce the provisions of this Stipulated Judgment.

11. The Clerk of the Court shall mail or deliver copies of this Stipulated Judgment to: (a) Nancy C. Blake, P.O. Box 532, Liverpool, NY 13088; and (b) Michael D. Gadarian, Assistant

United States Attorney, 100 South Clinton Street, P.O. Box 1798, Syracuse, New York 13261-7198.

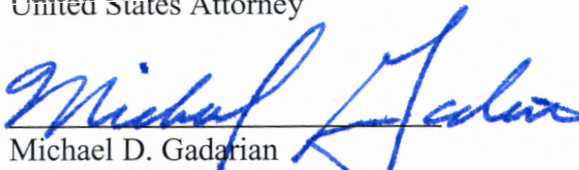
The undersigned have read each paragraph of this document and stipulate, agree and consent to the foregoing terms contained herein as the Judgment of the Court.

[SIGNATURE PAGE BELOW]

UNITED STATES OF AMERICA

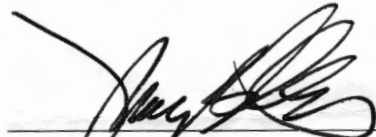
RICHARD S. HARTUNIAN
United States Attorney

Dated: 6/1, 2017

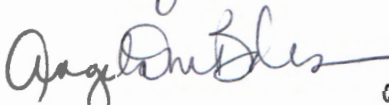

Michael D. Gadarian
Assistant United States Attorney
Bar Roll No. 517198

CONSENTED AND STIPULATED TO BY:

Dated: 5/31/17, 2017


Nancy C. Blake

Sworn to before me this 31st
day of May, 2017




ANGELA M. BOLES
Notary Public, State of New York
Qual. in Onondaga Co. No. 01B06074211
Commission Expires May 13, 20 18

ORDER

Good cause appearing, IT IS ORDERED that judgment be entered in favor of the United States, and against Defendant Nancy C. Blake, according to the terms agreed upon by the parties and set forth herein.

Dated: June 8, 2017


Frederick J. Scullin, Jr.
Senior U. S. District Judge